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FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Examiner Kartic Padmanabhan	Walter A. Hackler
COMPANY:	DATE:
USPTO	June 1, 2004
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
703.872.9306	10
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
571.272.0825	3013 (01-11 US)
RE:	YOUR REFERENCE NUMBER:
Response to Notice of Non-Compliant Amendment for "Method and Disposable Devices for Micro Extraction"	09/857,132

☐ URGENT ☒ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

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3013

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Rasmussen, et al.	) Examiner
Serial No.:	09/857,132	) Padmanabhan,
Filed:	05/29/2001	) Kartic
For:	METHOD AND DISPOSABLE	) Art Unit
	<u>DEVICES FOR MICROEXTRACTION</u>	) 1641

June 2004

TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

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In response to a Notice of Non-Compliant Amendment  
mailed May 21, 2004, enclosed herewith are:

1. Copy of the subject Notice; and
2. A complete listing of all claims in the  
application is enclosed.

Respectfully submitted,



Walter A. Hackler, Reg. No. 27,792  
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3013

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted by facsimile to Examiner Kartic Padmanabhan, Group 1641 at facsimile number (703) 872-9306 on June 1, 2004.

Signed: \_\_\_\_\_

WALTER A. HACKLER



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, DC 20231  
www.uspto.gov

Paper No.

## Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 5-17-04 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following omission(s) or provision is required. Only the section (1.121(h)) of the amendment document containing the omission or non-compliant provision must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted.

## THE FOLLOWING CHECKED (X) ELEMENTS(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_
- ☐ 3. Amendments to the drawings: \_\_\_\_\_
- ☒ 4. Amendments to the claims:
- ☒ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all claims (incl. withdrawn claims)
  - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☐ E. Other: \_\_\_\_\_

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/wcb/offices/pac/dapp/ople/procgnotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given **ONE MONTH** from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION**, and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of **ONE MONTH** from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

N. V. Hanis  
Legal Instruments Examiner (LIE)

July 22, 2003 (rev.)